

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In Re:

Fred Ayres, III,)	Bankruptcy No. 20-20296-CMB
)	
Debtor.)	Chapter 13
-----)	
Fred Ayres, III,)	Related to: Document No. 70
)	
Movant,)	
)	
v.)	
)	
U.S. Bank National Association,)	
As indenture trustee, for holders,)	
of the CIM Trust 2017-3, Mortgage,)	
Backed Notes, Series 2017-3,)	
County of Allegheny, Borough of,)	
Bridgeville, Charties Valley School,)	
Distict, and)	
)	
Ronda J. Winnecour, Trustee)	
)	
Respondents.)	

**ORDER CONFIRMING CHAPTER 13 SALE OF
PROPERTY FREE AND DIVESTED OF LIENS**

AND NOW, this 18th day of March, 2021, on consideration of the *Debtor's Motion to Sell Real Estate Known as 342 Church Street Free and Clear of Third Party Interests, Liens, Claims, Charges and/or Encumbrances in Accordance With 11 U.S.C. § 363*, for a gross sales price of \$80,000, after hearing held by ZOOM, this date, the Court finds:

(1) That service of the *Notice of Hearing* and *Order* setting hearing on said *Motion* for private sale of real property free and divested of liens of the above-named Respondents, was effected on the following secured creditors whose liens are recited in said *Motion* for private sale, viz:

DATE OF SERVICE

NAME OF LIENOR AND SECURITY

February 18, 2021

U.S. Bank National Assoc., et al
c/o Select Portfolio Servicing, Inc.
P.O. Box 65250
Salt Lake City, UT 84165-0250

February 18, 2021

Jeffrey R. Hunt, Esquire
Goehring, Rutter & Boehm
Attorney for County of Allegheny,
Borough of Bridgeville,
Chartiers Valley School District
437 Grant Street, 14th Floor
Pittsburgh, PA 15219

February 18, 2021

Ronda J. Winnecour, Ch. 13 Trustee,
Suite 3250, U.S. Steel
Building 600 Grant Street
Pittsburgh, PA 15219

(2) That sufficient general notice of said hearing and sale, together with the confirmation hearing thereon, was given to the creditors and parties in interest by the moving party as shown by the certificate of serviced duly filed and that the named parties were duly served with the Motion.

(3) That said sale hearing was duly advertised on the Court's website pursuant to *W.PA LBR 6004-1(c)(2)* on February 17 in the *Pittsburgh Legal Journal* on February 18, 2021 and in the *Pittsburgh Post Gazette* on February 18, 2021 as shown by the Proof of Publications duly filed.

(4) That at the sale hearing the highest/best offer received was that of the above Purchaser(s) and no objections to the sale were made which would result in cancellation of said sale.

(5) That the price of \$80,000.00 offered by *Bridge 2 Bridge Properties, LLC* was a full and fair price for the property in question.

(6) That the Purchaser(s) has acted in good faith with respect to the within sale in accordance with *In re Abbotts Dairies of Pennsylvania, Inc.*, 788 F2d. 143 (3d Cir. 1986).

NOW THEREFORE, it is hereby **ORDERED, ADJUDGED AND DECREED** that the sale of the real property described as 342 Church Street, Bridgeville, PA 15017 is hereby **CONFIRMED** to *Bridge 2 Bridge Properties, LLC* for \$80,000.00, free and divested

of the above recited liens and claims, and, that the Movant is authorized to make, execute and deliver to the Purchaser(s) above named the necessary deed and/or other documents required to transfer title to the property purchased upon compliance with the terms of sale;

It is **FURTHER ORDERED**, that the above recited liens and claims, be, and they hereby are, transferred to the proceeds of sale, if and to the extent they may be determined to be valid liens against the sold property, that the within decreed sale shall be free, clear and divested of said liens and claims;

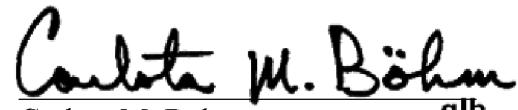
It is **FURTHER ORDERED**, that the following expenses/costs shall immediately be paid at the time of closing. *Failure of the Closing Agent to timely make and forward the disbursements required by this Order will subject the closing agent to monetary sanctions*, including among other things, a fine or the imposition of damages, after notice and hearing, for failure to comply with the above terms of this Order. Except as to the distribution specifically authorized herein, all remaining funds shall be held by Counsel for Movant pending further Order of this Court after notice and hearing.

- (1) Administrative Claim of Thompson Law Group, P.C. in the amount of \$5,000.00 to be held in escrow pending fee application
- (2) Advertising fees and expenses of Thompson Law Group, P.C.: in the amount of \$97.50 to be held in escrow pending fee application;
- (3) Payoff of First Mortgage to U.S. Bank National Association, et al: \$52,035.52;
- (4) Payoff of real estate tax lien to Borough of Bridgeville: \$307.01;
- (5) Payoff of real estate tax lien to Chartiers Valley School District: \$3,887.35
- (6) Payoff of real estate tax lien to County of Allegheny: \$138.36
- (7) Other: Any remaining funds are to be disbursed to the chapter 13 trustee for distribution in accordance with the chapter 13 plan.

It is **FURTHER ORDERED** that:

- (1) ***Within seven (7) days of the date of this Order***, the Movant shall serve a copy of the within *Order* on each Respondent (i.e., each party against whom relief is sought) and its attorney of record, if any, upon any attorney or party who answered the motion or appeared at the hearing, the attorney for the debtor, the Closing Agent, the Purchaser, and the attorney for the Purchaser, if any, and file a Certificate of Service.
- (2) ***Closing shall occur within thirty (30) days of this Order.***
- (3) ***Within seven (7) days following closing***, the Movant shall file a ***Report of Sale*** which shall include a copy of the HUD-1 or other Settlement Statement; and,

(4) This *Sale Confirmation Order* survives any dismissal or conversion of the
within case.



Carlota M. Böhm

glb

Chief United States Bankruptcy Judge

FILED
3/18/21 8:27 am
CLERK
U.S. BANKRUPTCY
COURT - WDPA

In re:
Fred Ayres, III
Debtor

Case No. 20-20296-CMB
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-2

User: lfin

Page 1 of 2

Date Rcvd: Mar 18, 2021

Form ID: pdf900

Total Noticed: 1

The following symbols are used throughout this certificate:

Symbol **Definition**

+ Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Mar 20, 2021:

Recip ID	Recipient Name and Address
db	+ Fred Ayres, III, 344 Church Street, Bridgeville, PA 15017-1809

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Mar 20, 2021

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on March 18, 2021 at the address(es) listed below:

Name	Email Address
Brian Nicholas	on behalf of Creditor U.S. Bank National Association as indenture trustee, for the holders of the CIM Trust 2017-3, Mortgage-Backed Notes, Series 2017-3 bnicholas@kmllawgroup.com
Brian Nicholas	on behalf of Creditor New Residential Mortgage Loan Trust 2017-3 bnicholas@kmllawgroup.com
Brian C. Thompson	on behalf of Debtor Fred Ayres III bthompson@ThompsonAttorney.com, blemon@thompsonattorney.com;bthompson@ecf.courtdrive.com;jcastello@thompsonattorney.com;kfinke@thompsonattorney.com
Charles Griffin Wohlrab	on behalf of Creditor New Residential Mortgage Loan Trust 2017-3 cwohlrb@raslg.com
David Neeren	on behalf of Creditor New Residential Mortgage Loan Trust 2017-3 dneeren@rasnj.com

District/off: 0315-2

User: lfin

Page 2 of 2

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Total Noticed: 1

Jeffrey R. Hunt

on behalf of Creditor County of Allegheny jhunt@grblaw.com cnoroski@grblaw.com

Jeffrey R. Hunt

on behalf of Creditor Township of South Fayette jhunt@grblaw.com cnoroski@grblaw.com

Jeffrey R. Hunt

on behalf of Creditor Borough of Bridgeville jhunt@grblaw.com cnoroski@grblaw.com

Jeffrey R. Hunt

on behalf of Creditor South Fayette School District jhunt@grblaw.com cnoroski@grblaw.com

Jeffrey R. Hunt

on behalf of Creditor Chartiers Valley School District jhunt@grblaw.com cnoroski@grblaw.com

Kristen D. Little

on behalf of Creditor New Residential Mortgage Loan Trust 2017-3 pabk@logs.com klittle@logs.com;logsecf@logs.com

Maria Miksich

on behalf of Creditor New Residential Mortgage Loan Trust 2017-3 mmiksich@kmllawgroup.com

Maria Miksich

on behalf of Creditor U.S. Bank National Association as indenture trustee, for the holders of the CIM Trust 2017-3, Mortgage-Backed Notes, Series 2017-3 mmiksich@kmllawgroup.com

Michael John Clark

on behalf of Creditor New Residential Mortgage Loan Trust 2017-3 pabk@logs.com

Office of the United States Trustee

ustpregion03.pi.ecf@usdoj.gov

Ronda J. Winnecour

cmevf@chapter13trusteedpa.com

S. James Wallace

on behalf of Creditor Peoples Natural Gas Company LLC ecfpeoples@grblaw.com Equitablebankruptcy@peoples-gas.com

Sindi Mncina

on behalf of Creditor New Residential Mortgage Loan Trust 2017-3 smncina@rascrane.com

TOTAL: 18